



County of Los Angeles
Department of Public Social Services

Bryce Yokomizo
Director

October 17, 2002

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**RECOMMENDATION TO AUTHORIZE THE DIRECTOR OF THE DEPARTMENT OF
PUBLIC SOCIAL SERVICES TO SIGN AND EXECUTE AMENDMENT NUMBER
THREE TO THE AGREEMENT WITH THE PERSONAL ASSISTANCE SERVICES
COUNCIL
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

Approve and authorize the Director of the Department of Public Social Services (DPSS) to sign and execute the enclosed Amendment Number Three to the County Agreement Number 72426 with the Los Angeles County Personal Assistance Services Council (PASC) to increase the Total Maximum Contract Sum by \$18.0 million to increase wages for IHSS providers as approved by your Board on October 1, 2002. The effective date of the wage increase is November 1, 2002.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

In approving the recommended action, your Board is delegating the authority to the Director of DPSS to sign Amendment Number Three to Agreement 72426 to reflect the \$18.0 million appropriated for the provider wage increase.

The Honorable Board of Supervisors
October 17, 2002
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On October 1, 2002, your Board approved the appropriation of \$18.0 million from Provisional Financing Uses to the DPSS to increase hourly wages for IHSS providers. Since the Board's October 1, 2002 action, the PASC has completed negotiations with SEIU, Local 434B, to increase provider wages from \$6.75 to \$7.50 per hour. The recommended action is needed to amend Agreement Number 72426 between the County and the PASC to reflect the hourly wage increase and also to authorize the Director of DPSS to sign Amendment Number Three. The California Department of Social Services and the Department of Health Services have approved DPSS' request for increased funding for the new hourly wage of \$7.50 effective November 1, 2002. (See enclosure.)

Implementation of Strategic Plan Goals

The recommended actions are consistent with the principles of the Countywide Strategic Plan, Goal 1 Service Excellence by increasing wages for IHSS providers so that these low income workers can meet their financial needs and provide quality care to IHSS consumers. This will enhance both the quality of life for these seniors and persons with disabilities throughout the County of Los Angeles, and for those who care for them.

FISCAL IMPACT/FINANCING

Amendment Number Three increases the current Total Maximum Contract Sum of the PASC Agreement by \$18.0 million to increase hourly wages for IHSS providers from \$6.75 to \$7.50. This net County cost increase was approved by your Board on October 1, 2002, and is included in the FY 2002-03 Adopted Budget. Future funding will be included in subsequent fiscal year departmental budget requests.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This Amendment to Agreement Number 72426 will become effective upon the execution of both parties and continue through June 30, 2003.

The Honorable Board of Supervisors
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IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended actions will provide for approximately 96,000 IHSS providers to receive IHSS payments at \$7.50 per hour effective November 1, 2002.

CONCLUSION

The Executive Officer, Board of Supervisors, is requested to return one adopted stamped copy of the Board letter to DPSS and one to the Personal Assistance Services Council, Ron Osterhout, Executive Director, 4730 Woodman Avenue, Suite 405, Sherman Oaks, California 91423.

Respectfully submitted,

A handwritten signature in cursive script that reads "Bryce Yokomizo" followed by a stylized monogram or set of initials.

Bryce Yokomizo, Director

BY:tl

Enclosures

c: Chief Administrative Officer
County Counsel
Auditor-Controller
Executive Officer, Board of Supervisors

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814

October 17, 2002

Mr. Bryce Yomomizo, Director
Los Angeles County
Department of Public Social Services
12860 Crossroads Parkway South
City of Industry, CA 91746

Dear Mr. Yomomizo:

Thank you for Los Angeles County's October 10, 2002 letter requesting approval for Los Angeles County's In-Home Supportive Services (IHSS) Public Authority (PA) rate change.

This is to inform you that the Department of Health Services (DHS) has approved a PA rate change for Los Angeles County. The California Department of Social Services (CDSS) has also reviewed and approved the rate in accordance with All-County Letter (ACL) No. 98-20 and State regulations, Manual of Policies and Procedures (MPP) 30-767.215.

Effective November 1, 2002, the PA has an approved rate of \$8.44, which includes the hourly wage of \$7.50, payroll taxes of \$0.71, health benefits of \$0.18, and an administrative cost of \$0.05.

Cost Claiming

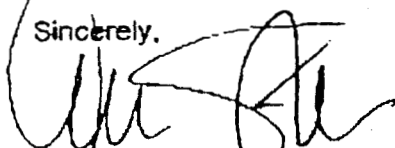
The county should use the invoice process outlined in the ACL Nos. 98-20 and 99-68 for claiming actual PA administrative costs for reimbursement.

Please note that the federal sharing ratio will decrease from 51.40 to 50.00 percent effective October 1, 2002. The sharing ratios for the non-federal portion for Personal Care Services Program (PCSP) costs (50.00 percent of the total PCSP cost) will remain at 65 percent for the State and 35 percent for the county. The Non-PCSP sharing ratios for State and county remain the same (65/35).

Updated SOC 448 invoicing forms using an automated formula driven Excel spreadsheet is available directly from the Fiscal and Administrative Unit.

Please contact me at (916) 229-4582, or Peter Lucyga, Fiscal and Administrative Unit Analyst at (916) 229-4006, if you have any questions regarding this matter.

Sincerely,



ALAN STOLTMASK, Chief
Adult Programs Branch
Disability and Adult Programs Division



AMENDMENT NO. 3

AGREEMENT NO. 72426 BETWEEN

COUNTY OF LOS ANGELES

AND

LOS ANGELES COUNTY

PERSONAL ASSISTANCE SERVICES COUNCIL

Prepared By
Department of Public Social Services
Adult Services Division

October 2002

AMENDMENT NO. 3
AGREEMENT BETWEEN
COUNTY OF LOS ANGELES
AND
LOS ANGELES COUNTY PERSONAL ASSISTANCE SERVICES COUNCIL

THIS AMENDMENT is made and entered into this _____ day of October, 2002, by and between the County of Los Angeles, hereinafter referred to as COUNTY, and the Los Angeles County Personal Assistance Services Council ("PASC").

WHEREAS, reference is made to that certain document entitled "AGREEMENT BY AND BETWEEN COUNTY OF LOS ANGELES AND LOS ANGELES COUNTY PERSONAL ASSISTANCE SERVICES COUNCIL" dated September 14, 1999 and further identified as County Agreement No. 72426 and any Amendments thereto (all hereafter "Agreement");

WHEREAS, the Personal Assistance Services Council ("PASC") serves as the employer of record for In-Home Supportive Services ("IHSS") providers for purposes of collective bargaining concerning wages and benefits, and in that capacity has recognized the Los Angeles Long Term Care Union, Local 434B of the Service Employees International Union ("SEIU") as the representative of the IHSS providers;

WHEREAS, it is intent of the parties hereto to amend Agreement to appropriate certain funds to the PASC and to make the changes described hereinafter; and

WHEREAS, said Agreement provides that change may be made in the form of a written amendment which is formally approved and executed by both parties; and

NOW THEREFORE, the parties hereby agree as follows:

1. This Amendment shall become effective upon execution by both parties.
2. The following subparagraph shall be added to Paragraph 4.0 of Section IV, FISCAL PROVISIONS:
 - 4.0.2 For Fiscal Year 2002-2003, the COUNTY's appropriation for the PASC negotiated wage increase above minimum wage shall not exceed the total of \$18,000,000. This amount is an absolute limit on the COUNTY's cost and the COUNTY is not obligated by this Agreement in any way to pay or subsidize beyond this appropriation any portion of any PASC negotiated wage increase beyond minimum wage.

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LOS ANGELES COUNTY PERSONAL ASSISTANCE SERVICES COUNCIL

3. Subparagraph 6.0.2 of Section IV, FISCAL PROVISIONS, is deleted in its entirety and replaced with the following:
 - 6.0.2 With respect to any PASC wage increase for IHSS providers for any portion of the 2002-2003 fiscal year, the County has calculated that the appropriation set forth in subparagraph 4.0.2 above, would allow for the \$7.50 per hour wage from November 1, 2002 through June 30, 2003 as agreed to in the amendment to the collective bargaining agreement entered into between the PASC and SEIU, dated October 7, 2002.
4. The following subparagraph shall be added to Paragraph 6.0 of Section IV, FISCAL PROVISIONS:
 - 6.0.3 With respect to any PASC wage increase for IHSS providers for any portion of the 2002-2003 fiscal year, the COUNTY agrees to pay thirty five percent of the nonfederal share of wage increase up to seventy five cents above the hourly Statewide minimum wage pursuant to Welfare and Institution Code §12306.1 as long as the COUNTY's share does not exceed \$18,000,000 as specified in 4.0.2 above. Under no circumstance shall the COUNTY's fiscal contributions exceed the amounts referenced in 4.0, 4.0.1, 4.0.2, 4.1, 4.1.1, 4.2 and 4.2.1 above for the respective fiscal year and under no circumstance is the COUNTY obligated for any portion of a wage increase or capitation payments in excess of those amounts if such funds have been depleted or in any way become unavailable, even during the 2002-2003 fiscal year. Both parties further understand and agree that in the event the State's share of any wage increases pursuant to Welfare and Institution Code §12306.1 is not forthcoming or in any way becomes unavailable, the COUNTY is not obligated, under any circumstance, to pay any portion of the State's share. Both parties further understand and agree that the COUNTY's above-stated obligation for any wage increase or capitation payments terminates on June 30 of the respective fiscal year, whether or not the funds described in subparagraphs 4.0, 4.0.1, 4.0.2, 4.1, 4.1.1, 4.2 and 4.2.1 above

AMENDMENT NO. 3
AGREEMENT BETWEEN
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4.

6.0.3 (Cont.)

remain available; the COUNTY is not obligated and does not agree to pay any portion of any wage increase or capitation payments beyond that date. Both parties further agree that Welfare and Institution Code §12306(c)(3) does not obligate the COUNTY in any way or at any time to fund the State share of a wage increase or capitation payments negotiated pursuant to Welfare and Institution Code §12306.1.

5. Except for the changes set forth herein, this Agreement shall not be changed in any respect by this Amendment.

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AGREEMENT BETWEEN
COUNTY OF LOS ANGELES
AND
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IN WITNESS WHEREOF, the Board of Supervisors of the County of Los Angeles has caused this Amendment to be signed by the Director of the Department of Public Social Services and the PASC has caused this Contract to be signed by its duly authorized officer(s), on the _____ day of October 2002.

COUNTY OF LOS ANGELES

By _____
Bryce Yokomizo, Director
Department of Public Social Services

PERSONAL ASSISTANCE SERVICES COUNCIL

By _____
Margaret Belton, Chair Governing Board
4730 Woodman Avenue, Suite 405
Sherman Oaks, CA 91423

APPROVED AS TO FORM:

By: _____
Deputy County Counsel
Lloyd W. Pellman
County Counsel


2002-2003 Wage Supplement

The following is a supplement to the 1999-2004 Agreement ("the Agreement") between the Personal Assistance Services Council ("PASC") and the Los Angeles Homecare Workers Union, Service Employees International Union, Local 434B ("Union"). The Parties agree that Article X -Wages - of the Agreement shall be supplemented as follows:

1. Based on the Union's diligent efforts to secure additional funding as required by paragraph three of the existing Article X, the Los Angeles County Board of Supervisors has appropriated additional funds for the payment of wages to Providers.
2. The Provider pay rate shall be increased to \$7.50 per hour.
3. To the extent that County or State funding procedures and approvals permit, this increase will become effective November 1, 2002 or as soon thereafter as permitted.
4. The Union and the PASC will continue to take all actions within their powers to secure the additional funding required to implement future increases, pursuant to Article ten, third paragraph.

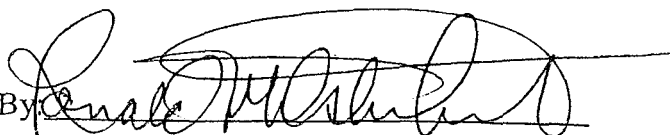
DATED: October 7, 2002

Long Term Care Union, Service Employees
International Union, Local 434B, AFL-CIO

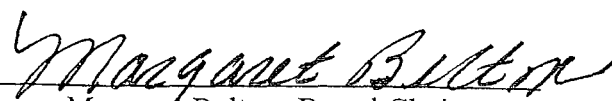
By: 
Tyrone Freeman, President

DATED: October 7, 2002

Personal Assistance Services Council

By: 

Adopted by action of the PASC Governing Board, on October 7, 2002.

By: 
Margaret Belton, Board Chair